

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CHARLENE RAIFORD ,

Plaintiff,

v.

1:12CV548

NORTH CAROLINA CENTRAL
UNIVERSITY, through the BOARD OF
GOVERNORS OF THE UNIVERSITY
OF NORTH CAROLINA and
RAYMOND PIERCE, LAUREN
COLLINS, and NICHELE PERRY in their
individual capacities.

Defendants.

ORDER

A Pre-trial Discovery Conference was held before the undersigned on December 18, 2012. Plaintiff was represented by Lee Andrews and Defendants were represented by Kimberly Potter, Special Deputy Attorney General. The Court enters the following discovery scheduling order pursuant to Rule 26 of the Federal Rule of Civil Procedure.

I. Discovery Plan.

Without intending to limit the parties' rights to discovery under the Federal Rules of Civil Procedure, the parties anticipate that discovery will be needed on the claims remaining for adjudication following the Court's ruling on Defendants' Motion to Dismiss.

Discovery shall be placed on a case-management track established in LR26.1. The parties agree that the appropriate case management track plan for this case is designated in LR26.1(a)

as “Standard,” with Plaintiff being allowed to serve a total of 15 interrogatories and 15 requests for production of documents on Defendants. Likewise, Defendants are allowed to serve a total of 15 interrogatories and 15 requests for production of documents on the Plaintiff.

All materials required to be disclosed by Rule 26(a)(1) will be served on or before January 15, 2013.

The parties agree not to serve written discovery until January 15, 2013. The date for the completion of all discovery (general and expert) is April 30, 2013.

Pursuant to L.R. 26.1(a), depositions are presumptively limited to four (4) per side, including experts. The parties agree to cooperatively schedule depositions.

Reports from retained experts under Rule 26(a)(2)(B) and disclosures for experts under Rule 26(a)(2)(C) are due during the discovery period from both parties by February 15, 2013. Any reports by rebuttal experts are due by March 15, 2013.

Supplementations must be provided in accordance with Rule 26(e) and must be provided by the close of discovery.

The parties reserve the right to seek an extension of any of the discovery deadlines contained herein from this Court based on a showing of good cause.

All potentially dispositive motions should be filed within 30 days of the close of all discovery.

II. Mediation.

Mediation should be conducted during the discovery period, with the exact date to be set by the mediator after consultation with the parties. The parties have selected Nahomi Harkavy as the mediator.

III. Other Items.

The parties agree that Motions to Amend and to Add Parties shall be governed by Rule 15 of the Federal Rules of Civil Procedure and filed by January 15, 2013. After that date, the Court will consider whether the granting of leave would delay trial.

This case does not need early judicial intervention due to complexity or other factors.

The parties have discussed special procedures for managing this case, including reference of the case to a magistrate judge on consent of the parties under 28 U.S.C. 636(c), or appointment of a master. The parties do not consent to magistrate jurisdiction over the present case.

IV. Trial of This Action.

The parties expect the trial of this case to take approximately three (3) days. A jury trial has been demanded.

This the 4th day of January, 2013.

/s/ Joi Elizabeth Peake
United States Magistrate Judge